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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Advanced Television Systems)
and Their Impact upon the)
Existing Television Broadcast)
Service)

MM Docket No. 87-268

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**REPLY COMMENTS OF PUBLIC ACCESS CHANNEL 10 OF FORT WAYNE
INDIANA IN THE FOURTH FURTHER NOTICE OF PROPOSED RULEMAKING
AND THIRD NOTICE OF INQUIRY**

To The Commission:

Public Access Channel 10 of Fort Wayne Indiana submits these reply comments in response to the Fourth Further Notice of Proposed Rulemaking/ Third Notice of Inquiry, FCC 95-315, in the above-captioned proceeding, released August 9, 1995. The Commission seeks comments on under what terms and conditions free over-the-air broadcasting should make a transition from analog to digital technology. Public Access Channel 10 of Fort Wayne Indiana urges the Commission to regulate the transition to advanced broadcast television technology ("ATV") in the public interest.

Channel 10 is on the air seven days a week, 440 hours a month, over 5300 each year. The content of programming varies greatly depending on the interest of the community producers. Currently 39% of the programming is of a general information nature, 33% is religious, 14% is general entertainment, 8% is sports and 6% are live viewer call-ins.

Community involvement with the access center can be seen by the fact that in 1995 there were a total of 1654 new programs produced with the participation of 135 community groups and 8884 hours contributed by the volunteer production crews. An additional 1035 programs were brought to us by local citizens produced using their own equipment. This is a total of 2689 new programs shown on public access Channel 10 in 1994. The 4 staff of Public Access Channel 10 trained 326 community members in all phases of video production.

My public access center transmits this programming on our local cable system, pursuant to the franchise agreement between Comcast Cablevision and The City Of Fort Wayne, and the federal 1984 Cable Act. Our volunteer producers are associated with a wide range of religious, community, educational, charitable, and other non-commercial, non-profit institutions. These organizations use our public access center and the facilities we provide to speak to their memberships and their larger communities and participate in an ever-growing "electronic town hall." A list of organizations that regularly use our facility is attached as Exhibit A. We believe that the tremendous resources of the Information Age should be made available to all communities, including those communities that otherwise would have insufficient means to participate in this technological revolution.

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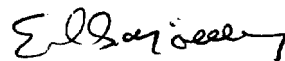
The development of ATV may offer the most significant opportunity since the birth of television to make the mass media more responsive to local needs and non-commercial voices. The broadcasting industry, however, sees this as an opportunity to receive \$70 billion worth of federally-owned electromagnetic spectrum for free. The industry wants to use this valuable additional capacity for a number of lucrative subscriber services, including data transmission, communications services and subscription video services. We believe that the spectrum should be used to enhance both the quantity and quality of local educational, political, cultural, public affairs, and non-commercial programming.

This tremendous augmentation of broadcast capacity could easily provide a platform for existing public and low-power television stations to broadcast local programming; it could also assure a free place for political candidates, quality childrens' programming, "distance learning" programs offered through high schools and universities, and local theater and musical performances. The Commission could impose a license fee approaching fair market value for broadcasters' use of the spectrum, and require that some channel space be put aside for non-commercial purposes. Auctions, quasi-auctions, "condominium" and "quasi-common carriage" proposals will permit incumbent broadcasters to have unfettered access to a digital broadcast platform while allowing the federal government to collect much-needed revenue. A portion of the license fees could be used to fund local non-commercial programming on these public interest channels.

We are also concerned that the industry wants to develop ATV under anti-competitive, cartel-like conditions, by initially prohibiting any non-broadcaster from receiving an ATV license. We do not see why this is necessary. Diversity of programming and diversity of ownership have both been long-standing public policy goals of the Commission. Neither is served by imposing this entry barrier on ATV. This limitation will reduce the number of voices on the air, and like other market-entry barriers, will create substantial inefficiencies for potential subscribers and advertisers.

We at Public Access Channel 10 of Fort Wayne Indiana urge the Commission to recognize the interests of the educational, charitable, and civic sector as it devises telecommunications policy for the 21st century, and to implement advanced television in a manner that sustains and nurtures what is best in America -- its churches, its schools, its local institutions, and its charitable organizations.

Respectfully Submitted,



Erik S. Mollberg
Public Access Channel 10
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Fort Wayne, Indiana 46802

Allen County Television Center - Channel 10

Sample Usage 1995

Community Service Organizations:

Limberlost Girl Scout Council
Daughters of the American Revolution
American Assoc. of University Women
Midget Metro Football
Crimestoppers
Ft. Wayne Urban League

3 Rivers Festival
Grandparents Rights
Ft. Wayne Jaycees
Boy's & Girl's Club
Ft. Wayne Jewish Federation
Jack and Jill of America, Inc.

YWCA
Cable Access Inc.
Toastmasters Club
Old Fort YMCA
NAACP
F.W. Jaycees

Government

IN Dept. of Financial Institute
Ft. Wayne Parks & Recreation
Citizens Committee on Hazardous Waste
IN Attorney General's Office

Ft. Wayne Fire Dept.
Air National Guard
Ft. Wayne Parks & Recreation
Citizens Committee to Review Local Government.

Air Force Association
Congressperson Jill Long
Ft. Wayne Police Dept.

Social Services

IN Organ Procurement Organization
American Red Cross
Allen County Cancer Society
Community Harvest Food Bank

American Lung Assoc.
Washington House
SCAN
Ft. Wayne's Women's Bureau

IN Lion's Eye Bank
AIDS Task Force
Hope Alive, INC.

Educational

Concordia High School
Northwest Allen County Schools
East Allen County Schools
Allen County Public Library
High School Hockey Assoc.

Homestead High School
Snider High School
St. Francis College
New Haven High School
Junior League of Ft. Wayne

IPFW
Junior Achievement
St. Peter's Headstart
Paul Harding High School

Arts

Ft. Wayne Dance Collective
Artlink, Inc.
Johnny Appleseed Festival

Ft. Wayne Ballet
New Haven Alumni Band

Ft. Wayne Community Band
Al Stiles Talent Factory

Private

Komet Hockey
Haller & Colvin Law Firm
German Heritage Society
Greater F.W. Chamber of Commerce

A Healing House
3 Rivers Youth Soccer Assoc.
Ft. Wayne Astronomical Society
Canal Society of Indiana

Ft. Wayne Garden Club
Ft. Wayne Fury Basketball